

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TONY PROTOPAPPAS,

Petitioner,

No. CIV S-04-1435 FCD DAD P

vs.

MATTHEW C. KRAMER, Warden,

Respondent.

ORDER

Petitioner is a state prisoner proceeding pro se with this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges the failure of the Board of Parole Hearings to find him suitable for parole at a parole suitability hearing held on September 19, 2000. One of petitioner's claims is that his rights pursuant to the Eighth and Fourteenth Amendments were violated because the Board disregarded regulations ensuring fair suitability hearings and instead operated under a policy allegedly in place at that time that all murderers be found unsuitable for parole. Good cause appearing, respondent will be directed to inform the court and to provide evidence of whether petitioner has had any parole suitability hearings subsequent to September 19, 2000 and the outcome(s) of such hearings that were held.

Accordingly, IT IS HEREBY ORDERED that, within ten days from the date of this order, respondent shall inform the court and provide evidence of whether petitioner has had

1 any parole suitability hearings subsequent to September 19, 2000 and the outcome(s) of such
2 hearings that were held.

3 DATED: April 9, 2008.

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6 DALE A. DROZD
7 UNITED STATES MAGISTRATE JUDGE

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